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EXTRAORDINARY

भाग I—खण्ड I

PART I—Section 1

प्राधिकार से प्रकाशित

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No. १२३]

NEW DELHI, WEDNESDAY, AUGUST, 23, 1967/BHADRA १, १८८९

इसभाग में भिन्न गुण समयों की जाती है जिससे कि यह घटना संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF COMMERCE

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 23rd August 1967

SUBJECT:—Import of (i) 'Fruits' all sorts, excluding coconuts and cashewnuts, fresh, dried, salted or preserved, n.o.s. and excluding Dates (S. No. 21 (a)/IV), (ii) Asafoetida (S. No. 31/V), (iii) Cumin Seeds, and (iv) Medicinal herbs from Afghanistan during 1967-68 Trade Arrangement period.

No. 83-ITC(PN)/67.—Duration of the Arrangement.—In pursuance of the Trade Arrangement between the Government of India and the Royal Afghan Government, it has been decided that during the validity of the Arrangement for 1967-68 (1st August, 1967 to 31st July, 1968) (Annexure I), import of goods from Afghanistan as specified in Schedule 'A' to Annexure I, excepting 'Hides and Skins', will be allowed within a fixed monetary ceiling in accordance with the procedure indicated in the following paragraphs.

2. Definition of Approved Importers.—Customs Clearance Permits (C.C.Ps.) for import of goods from Afghanistan, specified in Schedule 'A' to the current

Arrangement (Annexure I), excepting 'Hides and Skins', will be issued to the 'Approved Importers'. The 'Approved Importers' will be those:—

(i) who have participated in the Indo-Afghan Trade in those commodities during the four years ending 30th June, 1956 and were already registered as such; and

(ii) The Afghan Government's nominee firms registered as 'Approved Importers'.

3. No Customs Clearance Permits will be issued to those 'Approved Importers' whose names have been de-registered.

4. **Documents to be furnished with the application.**—Approved Importers should apply for C.C.Ps. in the prescribed form and manner, accompanied by the following documents:—

(a) Transit Certificates (four copies) together with invoices and Treasury Receipts.

(b) An undertaking on a stamp paper to the effect that they shall export any or all of the goods mentioned in the Schedule B to the 1967-68 Trade Arrangement to counter-balance imports within the stipulated period.

The documents furnished alongwith the applications should be complete in all respects, which will make for prompt issue of the C.C.Ps. Trade should particularly ensure that the Transit Certificates and invoices bear the official seal of the Afghan Custom authorities. No. C.C.Ps. will be issued if all the four copies of the Transit Certificates are not produced.

5. **Specimen of Transit Certificates.**—A specimen of the prescribed form of the Transit Certificate, issued by the Afghan Custom Authorities, is attached as Annexure II hereto. The Transit Certificates will indicate the name of the exporter, the name of the importer, kind and descriptions of the commodity, weight and value, as mentioned in paragraph 10(i).

6. **The Transit Certificates and their validity.**—The Transit Certificates will indicate the period of validity, which will be fifteen days for fresh fruits and thirty days for other goods. The validity of Transit Certificate is decided with reference to the date of actual despatch of the goods from Afghanistan and not by the date of arrival of the goods at the Indian Customs border. In other words, the goods must be cleared from the Afghan Customs borders within the validity period of the Transit Certificate. The evidence of transit having taken place during the validity of the Transit Certificate, should be produced, else the goods will not be allowed clearance. Four copies of the Transit Certificates will be issued by the Royal Afghan Government to the exporter, for presentation by the importer in India, to the concerned licensing authority. After necessary scrutiny of the applications and the documents, as mentioned in paragraph 4, the concerned licensing authorities will issue the C.C.Ps. to the eligible "approved importers" in duplicate.

7. **Procedure for issue of C.C.Ps. and their validity.**—The following procedure will be adopted for determining the entitlement of each approved importer for the current arrangement period. C.C.P./C.C.Ps. will be issued to each approved importer only upto the value of his export performance in the preceding period. In future, C.C.Ps. will be issued without reckoning, at every stage, the exports made by the concerned importer. If any importer fails to fulfil his export obligation upto 60 per cent at the end of ten months from the date of commencement of the trade arrangement, no further C.C.Ps. will be issued to him. However, if any consignment is despatched in favour of an approved importer who is, for the time being ineligible to the grant of C.C.Ps., on account of shortfall in export performance as above, the licensing authority may consider issuing of a C.C.P. to another approved importer, nominated by the defaulter, provided the nominee-approved importer has fulfilled 60 per cent export obligation of

his current imports. The validity of C.C.P's will be fifteen days and will not be extended under any circumstances.

NOTE: (Importers of Asafoetida and Cumin Seeds from Afghanistan are advised in their own interest to ensure that the products conform to the prescribed standards under the Prevention of Food Adulteration Rules).

8. Procedure for operating C.C.P.'s and transit certificates.—The C.C.P's will indicate, *inter-alia*, the value and weight mentioned in the Transit Certificate as also the Transit Certificate number and date. The C.C.P. No. and date will have also to be shown on the relevant Transit Certificates. When delivering the C.C.P. to the importer, the appropriate licensing authority will return all the four copies of the Transit Certificates to the importer, who in his turn, will present these along with the C.C.P. in duplicate, to the Custom authorities at the point of imports of the consignment in India. The Custom authorities will, while clearing the consignment, check and verify the physical correctness of the particulars of the consignment (*i.e.* name, description, weight, value etc.), as detailed in the C.C.P. and the Transit Certificate. In the event of the difference, whether in name, description, weight or value as assessed by the customs authorities, the copies of the C.C.P. and the Transit Certificates will be endorsed accordingly, an allowance, however, being given upto 5 per cent of the value. If the difference exceeds this limit, the customs authorities may release the goods under a bond, making an endorsement on the C.C.P. to this effect. The importers are required to present such C.C.Ps. to the licensing authority concerned for amendment of the value. The Custom authorities will send one copy of each C.C.P. to the concerned licensing authority and the second copy will, as at present, be handed back to the importer to be forwarded to the Reserve Bank of India.

9. Distribution of Transit Certificates.—As regards the distribution of the Transit Certificates, one copy will be retained by the Customs, the second forwarded to the Embassy of India at Kabul, the third to the Ministry of Commerce, Royal Afghan Government and the fourth to the Reserve Bank of India, New Delhi, with their remarks, if any.

10. Valuation for debiting against the ceiling.—The following will be the method of valuation of Afghan Goods for the current Trade Arrangement period:—

(i) Afghan goods, whether imported as outright purchase or on consignment basis, should be valued on the basis of invoices accepted by Indian Customs or where no invoices exist, on the basis of Indian Customs assessed value as defined in Section 14 of the Indian Customs Act, 1962 (Act No. 52 of 1962) and imports should be debited at these values to the ceiling fixed under the agreement.

Valuation for Determining counter-exports.

- (ii) With regard to imports effected as outright purchases, the value of counter-exports should be equal to the value of imports as determined in (i) above.
- (iii) So far as imports effected on consignment basis, exports of Indian goods will be allowed upto the sale proceeds of imports in India *minus* the taxes and duties and expenses.

11. Manner of Payment.—Payment for the goods mentioned in Schedule A to the 1967-68 Trade Arrangement (Annexure I), excluding 'Hides and Skins', will be made by the importers in accordance with the E. P. procedure, prescribed by the Reserve Bank of India.

12. Penalty for Non-fulfilment of Export Obligation.—As imports of goods mentioned in Schedule 'A' to the 1967-68 Trade Arrangement (Annexure I), excluding 'Hides and Skins' are to be balanced by export of goods, mentioned in Schedule B to the said Trade Arrangement, it is obligatory on each individual importer to discharge his export obligation in full by the end of the current trade arrangement *i.e.* by the 31st July, 1968. There will, however, be a period of grace of two months *i.e.* upto the 30th of September, 1968 by which exports and imports are to be balanced cent per cent. Should the importer fail to

complete his export obligation within the stipulated period of grace, he is liable to be de-registered from the list of approved importers for such period as the licensing authority may deem fit. A condition to this effect will be imposed on each C.C.P.

13. Caution Notice on consumption of 80 per cent of Ceiling.—When 80 per cent of the ceiling under the current arrangement is utilised, the licensing authority concerned will caution the trade through Public/Trade Notices that no C.C.P.s. will be issued, until further notice, for the goods, despatched after the date of issue of the said notice. Importers, applying for C.C.P.s. for goods, after issue of the aforesaid notice, will be required to produce, in addition to those prescribed in paragraph (4), the following documents, to prove that the goods have actually been despatched from Afghanistan prior to the issue of Public/Trade Notice in question:—

- (i) Railway/Air Receipts in case of despatch of the consignment by rail/air; and
- (ii) shipping bills and bills of lading in the case of consignments despatched by Sea.

ANNEXURE I

Indo-Afghan Trade Arrangement for 1965-66

Letter No. 1 dated 21st January, 1964 exchanged between Trade Delegation of the Royal Afghan Government and the Government of India.

During our discussions from the 23rd December, 1963 to 21st January, 1964, we have had an opportunity to review together the development of trade between Afghanistan and India in terms of the Treaty of Friendship and Commerce between the two countries and have reached certain conclusions which I have the honour to record in the following paragraphs:—

1. The two Governments reaffirm their desire to promote trade between their respective countries and to diversify it. To this end, the two Governments agree to promote business travel and take such steps as may be found to be necessary.
2. In accordance with the provisions of Article 15 of the Treaty between the Royal Afghan Government and the Government of India and subject to their respective import/export and foreign exchange regulations, the two Governments agree to the following:—
 - (a) Import and Export Authorities in Afghanistan and India will provide special facilities to approved importers in India to import from Afghanistan the goods mentioned in Schedule 'A' to this letter;
 - (b) These facilities will also be extended to such Afghan traders as are included in the list of approved importers;
 - (c) Import and Export Authorities of the two countries will endeavour to ensure that trade is not concentrated in a few hands;
 - (d) All facilities will be provided by the authorities in Afghanistan and in India to facilitate the imports into Afghanistan of the articles mentioned in Schedule 'B' to this letter;
 - (e) (i) Payment for the goods exchanged under Arrangement and mentioned in Schedule 'A' (other than Hides and Skins) and 'B' to this letter will be made in accordance with E.P. and E.P.I. procedures;
 - (ii) The special self-balancing Account maintained by the Da Afghanistan Bank with the State Bank of India will continue to be utilized to facilitate imports of hides and skins on a liberal basis against exports of goods and services in India;

(iii) Payment for imports of cotton and wool from Afghanistan into India and for export to Afghanistan of Indian goods mentioned in Schedule 'C' to this letter shall be made by establishing letters of credit in transferable U.S. dollars or Pounds Sterling.

3. The two Governments will consult each other periodically to review the above arrangements with a view to removing any difficulty in the working of this Arrangement to the advantage of the two countries.

4. It is hereby agreed that the Arrangement which was deemed to have concluded on the 30th September, 1963 in terms of the letters exchanged in Kabul on the 16th October, 1963 would continue to be in force till the 31st January, 1964 and the new Arrangements will operate from the 1st February, 1964 to the 31st January, 1965. Unless either Contracting Party gives notice to the contrary, one month prior to the expiry of this Arrangement, it will automatically be extended by a further period of one year and shall remain in force upto the 31st January 1966. On the expiry of the second year of the Arrangement, unless other Contracting Party gives notice to the contrary one month prior to the expiry of the second year, it will automatically be extended by a further period of one year, and shall remain in force upto the 31st January 1967.

5. I shall be grateful if you will confirm that the above correctly sets out the understanding reached between us.

SCHEDULE 'A'

Commodities for Export from Afghanistan to India.

Fruits (dry and fresh all kinds),
 Asafoetida,
 Cumin Seeds,
 Hides and Skins,
 Medicinal herbs (detailed as under)

| <i>English</i> | <i>Farsi</i> |
|--------------------------------------|------------------------|
| Hysop | Zoofa |
| Rosa Rose Flower (dried) | Gule Golab |
| Buglass (Borage) | Gule Gawzaban |
| Ouince (Borage) | Beh-Danna |
| White and red (Behmen) (Urdu) | Behmane Safid wa Sorkh |
| Jujube | Onnab |
| Ratanjot (Hindi) | Yarland |
| Manna | Turanjabeen |
| Manna (taken from Atrapaxis Spinosa) | Sheer-Khest |
| Liquoric (Mulathi) | Shireen Boia |
| Wild Carrot | Shakakul |
| DORONCUM | DARAWANJ |

SCHEDULE 'B'

Commodities for Export from India to Afghanistan:—

Textile, Cotton and Woollen, such as:—

Cotton and Woollen piecegoods, cotton dhoties and sarees, hosiery and knitted garments—woollen, cotton and rayon.

Silk, art silk and rayon fabrics; cotton twist and yarn other than cotton, woollen and silk manufactures, jute manufactures, Handloom fabrics.

Food—

Confectionery, Tea, coffee, spices including pepper, Fish—dried and salted, with prawns—dried, Preserved Mango and other vegetable products, Provisions and oilman's stores, Sago, Tapioca and its products, Cane jaggery, cane jaggery powder (Indian gur).

Agricultural Products—

Hydrogenated oils, i.e., "vanaspati" or vegetable ghee, vegetable oils and oilseeds, essential oils, tobacco—raw and unmanufactured.

Chemical Products and Soaps—

Chemicals and chemical preparations.

Pharmaceuticals—

Naphthalene, Sera and Vaccines, Alkaloids of opium and its derivatives, Scap—toilet and household, Toilet requisites and perfumery, Paints, pigments and varnishes.

Engineering Goods—

Printing machinery, Diesel engines, Pumps driven by diesel engines and electric motors, Sewing machines, Bicycles and their parts, Textiles machinery such as carding machinery and weaving looms, Machine tools, Hand tools and small tools small river crafts, Sugarcane crushing machinery, Rice, flours and oil crushing machinery, Ball bearings, Agricultural implements, Automobile parts other than those sent as spares with automobiles, Gliders.

SCHEDULE 'C'

Indian Exports.

1. Sugar.
2. Automobiles and their spare parts.
3. Tractors.
4. Bulldozers.
5. Compressors.
6. Stone Crushing and Polishing equipment.
7. Wood working machinery.
8. Lathes.
9. Road Rollers.
- 10 Graders.

11. Central Airconditioning equipment.
12. Refrigerators.
13. Slaughter House Machinery.
14. Accounting Machines.
15. Iron and Steel Construction material not mentioned under the heading "Hardware" in Schedule 'B'.
16. Generators—portable and fixed.
17. Radio Receivers.
18. Telephone and telegraph Apparatus and Equipment.
19. Cranes.
20. Drugs, Medicines and Antibiotics.

All other items not included in Schedule 'B'.

ANNEXURE II

Royal Government of Afghanistan

Ministry of Commerce India
Department

K.D.

Transit Certificate No.

Date 1965

Name of Exporter _____

Name of Importer _____

Period of validity _____

| No. | Commodity | Description | Number of case bundle etc. | Quantity in Kg. | Value Per Kg. | Value Rs. Total | Remarks |
|-----|-----------|-------------|----------------------------|-----------------|---------------|-----------------|---------|
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| | | | | | | | |

Signed by Customs House Officer _____

Date of Clearance from Indian Customs House _____

Signature _____

Electrical Goods—

Electrical appliances and accessories such as conduit pipes, switches, bells, holders, cut-outs, etc.,
Electrodes,
Electric bulbs and tubes,
Electric fans and their parts,
Batteries, (dry and wet),
Electric torch lights,
Electric motors,
Ebonite sheets, rods and tubes, cables and wires.

Household and Building Requirements—

Utensils including stainless steelware, Cooking ranges, heaters, electric iron, toasters, kettles, etc.,
Household electrical fittings and fixtures,
Roofing tiles,
Bricks,
Linoleum,
Sanitaryware,
G.I. Pipes and fittings,
Manhole cover and plates,
Kerosene stoves,
Incandescent oil pressure lamps,
Safes, strong boxes and room fittings,
Crockery.

Hardware—

Locks and padlocks,
Cutlery,
Bolts, nuts, screws and hinges, etc.,
Steel furniture and hospital appliances,
Scientific instruments of all types,
Weighing machines,
Surgical and medical instruments,
Steel buckets.

Rubber Manufactures—

Tyres and tubes,
Other rubber manufactures,

Leather Manufactures—

Boots, shoes and belts,
Other leather manufactures,
Artificial leather goods.

Handicrafts and Cottage Industry Products—

Stationery and paper.

Miscellaneous—

Coir and coir products,
Films,
Dyeing and tanning substances,
Lac and shellac,
Commercial decorative plywood,
Myrobalan and myrobalan extracts,
Glassware including tableware, glass bottles and bangles,
Artificial porcelain tooth,
Synthetic stones,
Books and printed matter,
Cigarettes,
Postage stamps,
Refined mineral oils,
Bichromates,
Sports goods,
Mica and Micanite,
Firebricks and fireclay,
Ropes.

P. D. KASBEKAR,
Chief Controller of Imports & Exports.

